

Performance History Audits

1029.1 PURPOSE AND SCOPE

This policy provides guidance for the use of performance history audits. Performance history audits can help identify commendable performance as well as provide early recognition of training needs and other potential issues. This policy addresses the responsibilities, performance indicators and components of the audit, and handling of collected data.

1029.2 POLICY

The Easton Police Department collects data to assist supervisors with evaluating the performance of their employees. While it is understood that the statistical compilation of data may be helpful to supervisors, the Department recognizes that it cannot account for, and must carefully balance such data with the many variables in law enforcement, such as:

- Ability to detect crime
- Work ethic
- Assignment and shift
- Physical abilities (ability to perform the job-related physical tasks)
- Randomness of events

1029.3 RESPONSIBILITIES

The Deputy Chief of Police is responsible for collecting performance indicators and other relevant data for performance history audits. The data will be compiled to generate bi-annual performance history audit reports that will be provided to the appropriate Commander.

1029.4 COMPONENTS OF PERFORMANCE HISTORY AUDITS

Performance history audits should include the following components:

- Performance indicators
- Data analysis
- Employee review
- Follow-up monitoring

1029.4.1 PERFORMANCE INDICATORS

Performance indicators represent the categories of employee performance activity that the Chief of Police has determined may be relevant data for the generation and analysis of performance history audits. These indicators may include, but are not limited to, the frequency and/or number of:

- (a) Use of force incidents.
- (b) Involvement and conduct during vehicle pursuits.

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- (c) Personnel complaints, including the findings.
 - (a) Three or more citizen complaints in a twelve month period requires non-punitive informal counseling (Md. Code PS § 3-516.)
- (d) Commendations, compliments and awards from the Department and the public.
- (e) Claims and civil suits related to the employee's actions or alleged actions.
- (f) Canine bite incidents.
- (g) Personnel investigations.
- (h) State's Attorney case rejections and the reasons.
- (i) Intentional or accidental firearm discharges (regardless of injury.)
- (j) Vehicle collisions.
- (k) Missed court appearances.
- (l) Documented counseling.

1029.4.2 DATA ANALYSIS

The Deputy Chief will review each performance history to determine whether it should be provided to the officer's Commander for further consideration.

Upon receipt of a performance history audit, the Commander will carefully review the report with the officer's Supervisor to assess any potential trends or other issues that may warrant informal counseling, additional training or a recommendation for other action, including discipline.

1029.4.3 EMPLOYEE REVIEW

The supervisor will carefully review the audit with the officer to assess any potential trends or other issues that may warrant informal counseling, additional training or a recommendation for other action, including discipline.

The officer shall date and sign the audit and should be provided with a copy of the audit upon request.

If a supervisor determines that an officer's performance warrants action beyond informal counseling, the supervisor shall advise the Commander of such recommendation. If the Commander concurs with the recommendation of the supervisor, he/she shall take steps to initiate the appropriate action.

If discipline or other adverse action is initiated against an officer as a result of a performance history audit, the officer shall be entitled to all rights and processes set forth in the Personnel Complaints Policy.

1029.4.4 FOLLOW-UP MONITORING

Depending upon the results of each performance history audit, a determination should be made by the Deputy Chief, after discussion with the officer's Commander, about the need, type and duration

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of any follow-up. Performance indicators and data analysis will generally provide the basis upon which such decisions should be made.

1029.5 CONFIDENTIALITY OF DATA

Information, data and copies of material compiled to develop performance history audits shall be considered confidential as part of the employee's personnel file and will not be subject to discovery or release except as provided by law. Access to performance history audits will be governed under the same process as access to an officer's personnel file, as outlined in the Personnel Records Policy.

Access to the underlying data will be governed by the process for access to the original records (such as police reports).

1029.5.1 STATE REQUIREMENTS

Officers shall be provided the opportunity to review, sign, receive a copy of and comment in writing on adverse material before the Department places adverse material into the officer's personnel file (Md. Code PS § 3-104.)

1029.6 RETENTION

Performance history audit reports and associated records shall be retained in accordance with the established records retention schedule.